
1675 Broadway, 19th Floor
New York, NY 10019-5820

TEL 212.223.0200

FAX 212.223.1942

www.ballardspahr.com

Celia Cohen

Tel: 646.346.8002

Fax: 212.223.1942

cohenc@ballardspahr.com

Michael P. Robotti

Tel: 646.346.8020

Fax: 212.223.1942

robottiM@ballardspahr.com

January 31, 2025

By Electronic Filing

The Honorable Diane Gujarati
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Re: United States v. Nicole Daedone and Rachel Cherwitz, 23-CR-146

Dear Judge Gujarati:

The defendant Rachel Cherwitz filed a redacted letter today requesting to move to compel the government to produce the grand jury minutes (Dkt. No. 267), which was filed yesterday under seal. *See* Pre-Mot. Letter, Dkt. No. 265. Pursuant to paragraph 14(a) of the Protective Order in the above-captioned matter, *see* Attachment to Gov't Mot. for Protective Order, Dkt. No. 207-1, we write to respectfully request that the Court order that certain Materials (as defined in the Protective Order) redacted in Docket No. 267 be permitted to be publicly filed.

Specifically, the defense's position is that any redacted Materials related to Ayries Blanck that were produced in discovery, and specifically related to her journals, should not be sealed. Ayries Blanck's identity and her journals are in the public domain due to her role in the Netflix film in 2022 and the public civil action in California.

Defense counsel conferred with the government on this issue pursuant to paragraph 14(b) of the Protective Order, but the government explained its position that any materials covered by the protective order in this case, including those that have been designated as Sensitive under the protective order should be filed under seal. To protect our client's right to a public trial under the Sixth Amendment, we filed this redacted version today, but request that the Court authorize us to remove the redactions. Specifically, all of the redactions relate to two sets of Blanck's journals, including portions of the journals themselves and statements about the journals from the 3500 material. As set forth in detail in Docket No. 267, one set of the journals is the fabricated journals from which Blanck's sister read during the 2022 Netflix

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film. The second is a genuine journal entry from January 2015, which does not contain any personal or financial information about Ayries Blanck.

Accordingly, we respectfully request that the Court order that all redactions in Docket No. 267 can be removed.¹

Respectfully,

A handwritten signature in blue ink, appearing to read "Celia A. Cohen".

Celia Cohen

A handwritten signature in blue ink, appearing to read "M.P. Robotti".

Michael P. Robotti

¹ Please note that Docket No. 267 also corrects a formatting issue on page 17 of our sealed letter.